

## Message

**From:** Jamie Rosenberg [REDACTED]@google.com]  
**Sent:** 8/27/2013 4:07:27 PM  
**To:** Purnima Kochikar [REDACTED]@google.com]  
**CC:** Elyse Seigle [REDACTED]@google.com]  
**Subject:** Re: PLEASE READ: WSJ details

I did read this and still have the same concerns vis-a-vis the contract.

On Tue, Aug 27, 2013 at 9:00 AM, Purnima Kochikar <[REDACTED]@google.com> wrote:  
 Jamie,

Based on our conversation yesterday, it appears that you did not read my response to your concerns. Would you please take a moment to read the email below and confirm that you stand by your decision?

P

----- Forwarded message -----

**From:** Purnima Kochikar <[REDACTED]@google.com>  
**Date:** Thu, Aug 22, 2013 at 4:03 PM  
**Subject:** Re: Signature Needed: Wall Street Journal Agreement  
**To:** Jamie Rosenberg <[REDACTED]@google.com>

**EXHIBIT 801**

Jamie,

I share your concern about disrupting a large and sweeping partnership. This is why we got sign off from all relevant parties. For instance, dev rel are committed to helping WSJ build a feature worthy app that integrates IAPv3, and merch have signed off on the in-store promotions.

I also like your approach of telling WSJ that we are doing something so special that we cannot put in writing; unfortunately, exec handshakes don't always help with day to day partner management. Documented lists do. For instance the BD person who got this rolling has left WSJ (and joined Google a few days ago), however, this document has been handed over to the person who took her position.

I hope the following will alleviate your concerns:

1. That we feel we need to "pay" for G+ integration. Our BD and Dev Rel teams are talking to developers every day and encouraging G+ integration

The G+ integration was an ask from our team because we believe it will improve the experience and outcomes of their new app. (We saw this happen on The Guardian app). WSJ will integrate G+ sign in regardless of this MOU. However, they were not getting it done until three months after launch of this app. By adding sign in within the purview of this document, we were able to move the dates forward, ensure it is designed into the redesign effort, and be included in the app at launch, and ensure that the new app is set up to succeed. We could easily take this out.

2. That we would agree not to promote competitive apps in the category during the promotion period

Typically, our play feature collections don't feature directly competitive apps. The only exception is Editor's choice which we explicitly called out in the MOU. Based on input from Tavares and Tim, we included language that restricts competitive apps to traditional newspapers or broadcast and cable news, thus limiting the scope (WSJ wanted it to all News apps). This means we can include new format news apps like BuzzFeed.

3. That we feel we need to "pay" for use of our billing system. We position this as an expectation, with exceptions

Interestingly, WSJ is among the apps that fall within the exceptions. We are, therefore, offering some incentives (I prefer that word to "pay" :-)) to get them to improve their app quality, use our payment system and do both in time for their busiest purchase season, which is Q4. Should we miss this window, the app performance is likely to be poor. (The primary concern we are trying to overcome).

Please note that companies like Samsung are being very aggressive, causing WSJ to pull resources away from our projects. (They have signed exclusives for Barrons and Marketwatch apps with Samsung). Without this MOU, the new app will be done around April/May on 2014. The incentives prompted them to re-prioritize their queue.

The WSJ app has several additional benefits. It will be a great example to sign up other apps, and should we hit the right revenue targets, help put to rest the concern that apps don't monetize well on Android/Play.

I hope that helps.

P

On Thu, Aug 22, 2013 at 8:59 AM, Jamie Rosenberg <[REDACTED]@google.com> wrote:

There are at least three things in here that I would definitely not want to be public and that wouldn't apply to every partner:

1. That we feel we need to "pay" for G+ integration. Our BD and Dev Rel teams are talking to developers every day and encouraging G+ integration
2. That we would agree not to promote competitive apps in the category during the promotion period
3. That we feel we need to "pay" for use of our billing system. We position this as an expectation, with exceptions.

The things I'm more comfortable putting in writing have to do with things we would do outside of Play Store (i.e., outbound campaigns), and things we'd ask WSJ to do outside of app development. But I suspect this doesn't satisfy the objectives of either party in this case.

Rather than saying we can put this in writing because these are a set of terms we'd gladly publish and make available to any partner -- which I don't think is true -- I would rather tell WSJ that we \*can't\* put this in writing exactly because we are doing something for them that we would NOT make available to all partners. Again, I'm happy to deliver that message to the highest levels. We have a large and sweeping partnership with NewsCorp on many fronts and we would not disrupt that partnership by falling down on our promises.

On Thu, Aug 22, 2013 at 8:24 AM, Purnima Kochikar <[REDACTED]@google.com> wrote:  
Jamie,

I should have briefed you earlier, but erred on the side of getting all the ducks aligned before coming to you, as I expected this push back :-)

Context: Partners like the New York Times and WSJ are severely underperforming in Play (NYTimes revenues of 13% target, which is "more modest than iOS") . We believe that poor payment flow is a large contributor to the gap. However, we find ourselves in a catch-22 situation. Partners want to see better performance on Android before investing further. Especially, when it includes a 30% rev share. Serge found a BD person on the WSJ side who was willing to go to bat for us, but she needed air cover.

Solution: Document terms that are in essence what we would tell publicly to break the catch-22. There is NOTHING in here that would not apply to any other partner. All we have agreed to is to promote if they incorporate our payments and meet our guidelines. In return they have also committed to some co-marketing. And its non-binding.

Our legal team has scrutinized it thoroughly, even had competition counsel take a look at it. Tim has reviewed from a merch perspective.

Getting WSJ to support subscriptions would be a big step towards driving revenues outside Games in Play. Please support.

P

On Wed, Aug 21, 2013 at 9:00 PM, Jamie Rosenberg <[REDACTED]@google.com> wrote:  
Can you give me some background on this?

We shouldn't be putting stuff like this in writing because of the sensitivities with the ecosystem... but I'm happy to get on the phone with anyone at WSJ and confirm that we're committed to it.

----- Forwarded message -----

From: **Serge Kassardjian** <[REDACTED]@google.com>

Date: Wed, Aug 21, 2013 at 8:22 PM

Subject: Signature Needed: Wall Street Journal Agreement

To: Jamie Rosenberg <[REDACTED]@google.com>, Purnima Kochikar <[REDACTED]@google.com>, Mike Marchak <[REDACTED]@google.com>, Elyse Seigle <[REDACTED]@google.com>, Helen Tsao <[REDACTED]@google.com>, Timothy Quirk <[REDACTED]@google.com>, Pat Correa <[REDACTED]@google.com>

Jamie,

We recently came to agreement with Wall Street Journal to redesign their app to integrate 1) our subscription billing services with 30% rev share 2) responsive design across devices with one app following our guidelines and meeting our standards for featuring 3) G+ integration. The app will be ready by mid-September with subscription billing and by EOY with G+.

Attached is the agreement outlining the co-marketing for the deal that includes 3 separate weeks of featuring (at one week intervals) in 5 different markets upon hitting various design milestones. All co-marketing requires mutual agreement from both parties. WSJ has signed and asked for our signature on the attached MOU.

Please note that this is a test case of incentivizing partners to sign up for clear gives and gets. After several redlines, Purnima and Tim as well as legal, marketing and merchandising have approved this agreement. It is non-binding.

Can you execute?

Thanks,

Serge

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Serge Kassardjian  
Google, Android Play Apps Business Development  
[REDACTED]@google.com [REDACTED]

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Purnima Kochikar  
Google Play, Apps & Games  
[REDACTED]@google.com  
[REDACTED]

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Purnima Kochikar  
Google Play, Apps & Games  
[REDACTED]@google.com  
[REDACTED]

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Purnima Kochikar  
Google Play, Apps & Games  
[REDACTED]@google.com  
[REDACTED]